

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

SOUTH CAROLINA FREEDOM CAUCUS,

Plaintiff,

v.

WALLACE H. JORDAN, JR., J. DAVID WEEKS,
BETH E. BERNSTEIN, PAULA RAWL CALHOON,
MICAJAH P. CASKEY, IV, NEAL A. COLLINS,
JOHN RICHARD C. KING, ROBBY ROBBINS, J.
TODD RUTHERFORD, AND LEONIDAS E.
STAVRINAKIS, in their official capacities as
members of THE HOUSE OF REPRESENTATIVES
LEGISLATIVE ETHICS COMMITTEE,

Defendants.

Civil Action No. 3:23-cv-00795-CMC

EXHIBIT 5

DECLARATION OF REP. MICAJAH P. CASKEY IV

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WALLACE H. JORDAN, JR., J. DAVID WEEKS,
BETH E. BERNSTEIN, PAULA RAWL CALHOON,
MICAJAH P. CASKEY, IV, NEAL A. COLLINS,
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TODD RUTHERFORD, AND LEONIDAS E.
STAVRINAKIS, in their official capacities as
members of THE HOUSE OF REPRESENTATIVES
LEGISLATIVE ETHICS COMMITTEE,

Defendants.

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**DECLARATION OF
REP. MICAJAH P. CASKEY, IV**

REP. MICAJAH P. CASKEY, IV, hereby declares the following to be true under penalty of perjury under 28 U.S.C. § 1746:

1. I am competent to testify to and have personal knowledge of the matters stated in this declaration. As to those matters stated on information and belief, I believe them to be true.

2. I was elected to the South Carolina House of Representatives in 2016 as a Representative for District 89, which is located in Lexington County, South Carolina.

3. In my capacity as a Representative, I currently serve as a member of the Ethics Committee of the South Carolina House of Representatives (“the Ethics Committee”) and I have served on the Ethics Committee since 2020.

4. Over the past several months, I have seen numerous ads, speeches, and interviews given by members of the South Carolina Freedom Caucus.

5. For example, I am aware that the Vice Chair of the South Carolina Freedom Caucus Representative Robert J. "RJ" May III gave an interview to a local news outlet. *See R.J. May Leads Fight Against "Republican" Supermajority - Full Interview*, FITSNews, <https://www.youtube.com/watch?v=OXHgTcuQRMs> (last visited April 23, 2023).

6. In this interview, Rep. May discusses the State Freedom Caucus Network, which in his words, "seeks to provide the resources to conservative lawmakers across the 50 swamps in every state to battle the establishment and the bureaucracy. So the hope is we will now be on par with the leadership and establishment folks that we can fight the fights effectively."

7. Rep. May stated that lawmakers in the South Carolina Freedom Caucus do not have staff and do not have lawyers on retainer.

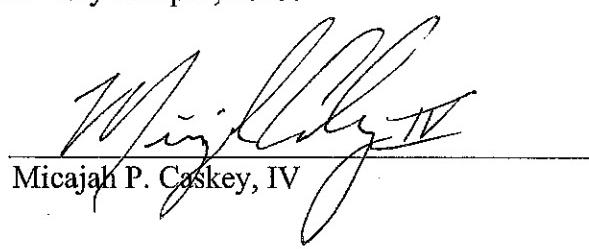
8. Regarding this lawsuit, Rep. May said the South Carolina Freedom Caucus cannot speak and is seeking full recognition to fight back. Rep. May added, "We can't send out mailers."

9. However, I have seen personally emails sent on behalf of the South Carolina Freedom Caucus that state: PAID FOR BY STATE FREEDOM CAUCUS ACTION.

10. In addition, Rep. May stated that "there are a number of folks I know that are going to be running as Freedom Caucus candidates" in 2024. Rep. May added that he receives calls every week from potential candidates who want to run for office and join the South Carolina Freedom Caucus.

11. The South Carolina Freedom Caucus is also active on Twitter and Facebook, where it promotes its members and seeks to influence elections. On information and belief, the South Carolina Freedom Caucus' members are likewise active on both Twitter and Facebook.

Signed under penalty of perjury this 27th day of April, 2023.


Micajah P. Caskey, IV